

OFFICE OF PROCUREMENT

Evaluate Contractor Performance

LMS-OP-4525 Revision: H

Approval original signed on file

Organizational Unit Manager, Office of Procurement

Date 12/16/07

NASA Langley Research Center (LaRC)
Langley Management System (LMS)

CHANGE RECORD

Rev. No.	Date	Description
B	7/21/00	Deletes the requirement for CPAP reports. Revises NF 1680 process.
C	6/12/01	Specifies that award fee evaluation information must be included in the Past Performance Database. Deletes flowchart for it only repeats text information.
D	3/6/02	Updates PIC references and deletes references to LMS-TD-4547 and NF 1098 tabs.
E	8/22/02	Adds Section II regarding records. Adds PIC reference, revises 1680 completion information, renumbers Paragraph G.
E-1	8/13/04	Clarifies Section II, IV C., and IV D.
F	6/16/06	Revise Section IV D and added 1-5 to G.
G	4/3/07	Revised IV B for new CMM software impact.
H	12/16/07	Add Paragraph IV.G to require the completion of Past Performance Evaluations at any dollar value for Contract/POs for “critical and complex” items/services and renumber subsequent paragraphs.

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I. Introduction

This procedure describes the process for evaluating contractor performance as well as maintaining a database of this information for future source selection purposes to ensure that the Government procures goods and services from contractors who have a history of providing quality products.

II. Records

The following records are generated by this procedure and are located in the official contract file:

- Evaluation of Performance (NF 1680)
- Performance Evaluation - Construction Contracts (SF 1420)
- Performance Evaluation (Architect - Engineer) (SF 1421)

III. Listing of Instruction Topics

- A. Responsibility
- B. Award Fee Contracts
- C. Incentive Fee Contracts
- D. Construction Services
- E. Architect-Engineering Services
- F. Grants, Cooperative Agreements or Contracts Placed Under FAR 8.6 or 8.7
- H. Contracts/Orders for "Critical and Complex" Items/Services (AS-9100)
- G. Other Contracts Over \$100,000 (NF 1680 Process)

IV. Instructions

A. Responsibility - The Contracting Officer (CO) and the technical representative are responsible for determining when contract performance or a specific performance evaluation period is complete based on the contract terms.

B. Award Fee Contracts - The procedures identified within FAR Part 16 and NFS Part 1816, the NASA Headquarters' Award Fee Guide located at <http://www.hq.nasa.gov/office/procurement/regs/afguideee.html>, and the specific contract award fee plan shall be followed for evaluating contractor performance under award fee contracts and hybrid contracts containing both award fee and non-award fee provisions. In addition, in accordance with PIC 01-12, award fee evaluations must be summarized on NASA Form (NF) 1680 and entered into the on-line Past Performance Data Base referred to in paragraph G. below. Award fee milestone information shall be entered into the Contract Management Module (CMM) database.

C. Incentive Fee Contracts - The administrative procedures identified within FAR Part 16, NFS Part 1816, the FAR clause entitled, "Incentive Fee," and the contract "Incentive Fee Plan" shall be considered in evaluating contractor performance under incentive fee contracts. The technical representative shall assist the CO in ascertaining the degree to which the contractor

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has met the incentives identified within the contract for the application of profit/fee formulas. The NF 1680 discussed below must also be completed for incentive fee contracts.

D. Construction Services - Construction services shall be evaluated jointly by the CO and the technical representative in accordance with FAR Part 36. After all contractor feedback has been considered, the Contract Specialist (CS) shall complete the official Standard Form (SF) 1420 (a copy of which is received with the technical representative's recommended ratings as part of the close-out package) for retention in the contract file. A copy shall also be included in the Central Construction Performance Evaluation File retained by the Construction Contracting Officer located in the Center Operations Directorate. The SF 1420 forms shall be retained in the Performance Evaluation File for 6 years in accordance with FAR Part 36.

E. Architect-Engineering Services - Architect-Engineering Services shall be evaluated jointly by the CO and the technical representative in accordance with FAR Part 36. After all contractor feedback has been considered, the CS shall complete the SF 1421 for retention in the contract file and include a copy in the Central Construction Performance Evaluation File.

F. Grants, Cooperative Agreements or Contracts Placed Under FAR 8.6 or 8.7 - Contracts placed pursuant to FAR Part 8, Grants, and Cooperative Agreements do not require performance evaluations.

G. Contracts/Orders for "Critical and Complex" Items/Services (AS-9100)- A NF 1680 shall be prepared in accordance with FAR Part 42, NFS Part 42, Procurement Information Circulars (PICs) 01-12, 02-08 for all items/services designated as "critical and complex" at any dollar value. "Critical and complex" procurements involve the processes and services that support the design, development, fabrication, component assembly, and system installation of flight hardware, flight software, and associated ground support equipment interfacing with flight hardware and flight software. Key characteristics in determining if support from the MAB is necessary are as follows: (1) any hardware task that, if performed incorrectly or in violation of prescribed requirements, could result in loss of human life, serious injury, loss of mission or loss of a significant mission resource (e.g., Government test or launch facility). (2) the manufacture/fabrication of parts or assemblies which have quality characteristics not wholly visible in the end item and for which conformance can only be established progressively through precise measurements, tests and controls applied. (See also NPR 8735.2A, Management of Government Quality Assurance Functions for NASA Contracts and NPD 8730.5, NASA Quality Assurance Program Policy, for guidance.)

H. Other Contracts/Orders Over \$100,000 (NF 1680 Process) - A NF 1680 shall be prepared in accordance with FAR Part 42, NFS Part 42, Procurement Information Circulars (PICs) 01-12, 02-08 and the following procedures.

1. Unless exempt from this requirement (see above), evaluation of contractor performance is required for all contracts/orders over \$100,000.

2. Interim evaluations are required for contracts/orders having a term exceeding one year, except that:

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(a) LaRC elects to not perform interim evaluations for SBIR/STTR Phase II contracts.

(b) These evaluations are not required on contracts whose award anniversary is within 3 months of the end of the contract period of performance.

(c) The final evaluation will address the last interim period and the summary evaluation.

3. Delivery/task orders placed under LaRC issued Indefinite Delivery-type contracts and Blanket Purchase Agreements do not require individual evaluations. (Evaluate the overall contract/agreement under which the orders are placed.) This does not include orders placed under GSA Federal Supply Schedules or other Agency issued contracts/agreements. Such orders are not exempt, and must be evaluated appropriately.

4. Process all 1680's within 60 days of every anniversary of the award. Interims can be issued 60 days before the anniversary (allowing 120 days to process). The contractor shall respond within 30 days of contractor receipt of the evaluation. No response will be interpreted as contractor acceptance and the CS shall proceed with processing the 1680.

5. LaRC has elected to utilize the web-based NF 1680 for inclusion into the NASA Past Performance Data Base (PPDB). (The CS shall ensure that the PPDB CO signature field is populated when the 1680 review is complete.) The web-based NF 1680 is available through the Virtual Procurement Office (VPO). (The Informed Filler version of the NF 1680 shall NOT be used by LaRC.) Information for COTR and contractor completion is located on the PPDB website.

6. The CS shall file the completed NF 1680, including contractor response and review comments, in the contract file. The electronic database shall be used by all LaRC Source Evaluation Boards/Source Evaluation Teams in the evaluation of an offeror's Past Performance (see NFS 1815) in addition to information that may be obtained from other NASA Centers, other agency databases, and other sources. In the determination of contractor responsibility prior to award of contracts exceeding \$100,000, the CS shall also refer to this database. The responsibility determination included in the contract file must indicate the results of the performance evaluation file review. Do not consider 1680 evaluations that are more than three years after contract completion. The completed NF 1680 shall only be released to Government personnel and the contractor whose performance is being evaluated.

7. If the contractor's performance has been determined to be unsatisfactory in any of the areas of evaluation, the CO, with recommendations from the technical representative, will ensure that the contractor develops a plan of action to correct the performance. The use of interim evaluations, quarterly or semi-annually, shall be considered if necessary to ensure that corrective action has been implemented by the contractor.